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Attorneys for Non-Party
WARDELL STEPHEN CURRY II

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ATHALONZ, LLC

Plaintiff,

v.

UNDER ARMOUR, INC.

Defendant.

Case No. 3:23-mc-80324

**DECLARATION OF WILLIAM J.
AUSTIN IN SUPPORT OF MOTION TO
QUASH SUBPOENA OF NON-PARTY
WARDELL STEPHEN CURRY II**

1 I William J. Austin, do hereby declare as follows:

2 1. I have served as the agent of Wardell Stephen Curry II (“Stephen”) since he
3 entered the NBA.

4 2. I am employed by Octagon, Inc., (“Octagon”) and I primarily manage Stephen’s
5 career. I, along with Kris Stone, manage Stephen’s relationship with Under Armour, Inc.
6 (“Under Armour”) in varying capacities. The two of us have authorization from Stephen to
7 communicate any feedback he has regarding the “SC” line of products to Under Armour and to
8 oversee Stephen’s communications with Under Armour regarding Under Armour’s SC line of
9 products.

10 3. Under Armour proposes, designs, develops, and oversees manufacturing of all SC
11 products before they are placed in-market. Under Armour also oversees and manages the
12 advertising and production of the SC line of products.

13 4. Stephen does not design or develop the shape of the soles of the SC line of shoes,
14 nor determine what materials are used in the soles.

15 5. Stephen has a very demanding schedule. During the season, Stephen has Golden
16 State Warrior team obligations, and must spend numerous hours each week participating in
17 games, training, and doing physical therapy and/or maintenance treatments. Stephen also has
18 serious commitments and obligations off the court in connection with his endorsements,
19 sponsorships, and charitable endeavors.

20 6. The NBA season lasts from at least October to April (and hopefully, well into
21 June), and is the busiest time of year for Stephen as his presence is needed by his team on a daily
22 basis.

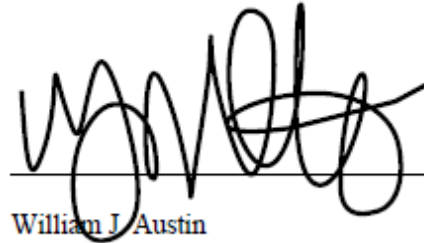
23 7. Between December 1, 2023 (the date noticed for production of documents) and
24 April 14, 2024 (the last day of the NBA’s regular season), the Golden State Warriors have
25 regular season games scheduled on 63 separate days. Of those 63 games, 32 will be “away”
26 games that will necessitate substantial cross-country travel for Stephen before and after the
27 game.

1 8. Stephen has not been retained by Under Armour for any purpose related to this
2 litigation, and Under Armour has not expressed any intent to offer Stephen as a witness by Under
3 Armour at trial.

4 I declare under penalty of perjury under the laws of the United States of America that the
5 foregoing is true and correct.

6 Executed on December 8, 2023.

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William J. Austin